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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/003,369 | 11/15/2001 | Garry L. Davis | 10420/3169 | 4700 |

7590 02/04/2004
BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610

EXAMINER

NGUYEN, PHUNG

ART UNIT PAPER NUMBER

2632

DATE MAILED: 02/04/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,369

Applicant(s)

DAVIS ET AL.

Examiner

Phung T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuttle (U.S. Pat. 6,127,917).

Regarding claim 1: Tuttle discloses a system and method for locating individuals and equipment, airline reservation system, communication system comprising making a reservation for the passenger; recording information; retrieving information concerning the reservation for passenger check-in (col. 16, lines 1-14, and col. 18, lines 5-9); automatically detecting arrival of the passenger via the RF identification card; comparing the passenger with reservation information (col. 16, lines 38-62); and automatically checking in the passenger, wherein the radio-frequency identification card uniquely identifies the passenger (figure 2, col. 16, lines 15-17). Tuttle teaches the card 32 acts as an electronic boarding pass. Tuttle does not teach printing a confirmation of the check-in as claimed. However, it would be obvious to the skilled artisan to print a confirmation of the check-in in order to provide a hardcopy proof/record of check-in for the user which is desirable.

Regarding claim 2: Tuttle discloses checking baggage and linking information relating to the baggage with the information concerning the reservation (col. 16, lines 18-20).

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Regarding claim 3: Tuttle discloses wherein information printed is selected from the group consisting of passenger name, destination, ticket number, one or more identification number, trip number, gate, seat assignment, and class of service (col. 1, lines 48-53).

Regarding claim 4: Tuttle discloses walking through or near a radio-frequency detector. (col. 16, lines 27-29).

Regarding claim 5: Tuttle discloses signaling that the passenger has automatically checked in (col. 16, lines 27-37, and col. 17, lines 37-41).

Regarding claim 6: Tuttle discloses the reservation is selected from the group consisting of an aircraft flight, a ship cruise, a railway journey, and a locomotive trip (col. 16, lines 1-6).

Regarding claim 7: Tuttle discloses the trip number is selected from the group consisting of a flight number, a train number, a cruise number, and a locomotive trip (col. 16, lines 18-27).

Regarding claim 8: Tuttle discloses a radio frequency detector detects an RF identification card (col. 16, lines 18-27).

Regarding claim 9: Tuttle discloses matching the passenger with baggage of the passenger and detecting whether a passenger with baggage has checked in (col. 16, lines 1-6).

Regarding claim 10: All the claimed subject matter is already discussed in respect to claim 1 above, Tuttle also discloses signaling that the passenger has automatically checked in (col. 16, lines 27-37, and col. 17, lines 37-41). Since Tuttle teaches the transponder device 32 are radio frequency identification devices (col. 3, lines 62-65), it is seen that the RFID of Tuttle is a long range RFID also.

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Regarding claim 11: Tuttle discloses the step of signaling is selected from the group consisting of emitting a sound, opening a gate, flashing a light, printing a pass, and displaying a message (col. 17, lines 37-41).

Regarding claim 12: Tuttle discloses checking baggage of the passenger, and linking information relating to the baggage with the information concerning the reservation (col. 17, lines 42-57).

Regarding claim 13: Tuttle discloses a radio-frequency enabled identification card for a passenger; a detector; processing means in communication with the detector (col. 16, lines 15-20); a passenger list (col. 18, lines 5-16); and a first passage controlled by the processing means, wherein the processing allows passage of the passenger holding the radio-frequency identification card and the processing means matches the passenger with a person on the passenger list (col. 16, lines 15-48).

Regarding claim 14: Tuttle discloses comparing an identifier of the passenger to the passenger list, and allowing passage if the passenger is on the passenger list (col. 16, lines 56-62).

Regarding claim 15: Tuttle discloses the detector is a long-range reader of radio frequency identification cards (col. 16, lines 27-29).

Regarding claim 16: Tuttle discloses detecting a return signal in accordance with an identity of the owner of the identification card (col. 16, lines 18-27).

Regarding claim 17: Tuttle discloses the first passage is selected from the group consisting of a manned checkpoint, a gate, a door, and a barrier (col. 16, lines 27-37).

Regarding claim 18: Tuttle discloses a second passage controlled by the computer (col. 17, lines 37-41).

Regarding claim 19: Tuttle discloses signaling whether the passenger has automatically checked in (col. 16, lines 27-37, and col. 17, lines 37-41).

Regarding claim 20: Tuttle discloses signaling is selected from the group consisting of a sound, a light, a message board, a printer, and a gate (col. 17, lines 37-41).

Regarding claim 21: All the claimed subject matter is already discussed in respect to claims 10 and 14 above.

Regarding claim 22: Tuttle discloses the passage is selected from the group consisting of a manned checkpoint, a gate, a door, and a barrier (col. 16, lines 27-37).

Regarding claim 23: Refer to claim 20 above.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung Nguyen whose telephone number is (703)308-6252. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

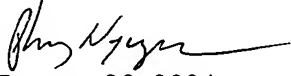
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu, can be reached on (703) 308-6730. The fax number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

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Examiner: Phung Nguyen

A handwritten signature in black ink, appearing to read 'Phung Nguyen', written over the printed name.

Date: January 30, 2004